

REMARKS

Reconsideration of the application is respectfully requested.

1. Examiner has rejected claims 2-7 under 35 USC 116, 2nd paragraph, as being indefinite. New claims 15-21 are directed to a solid oxide fuel cell stack assembly which includes an enclosure and a fuel cell stack. New claims 15-21 are submitted to comply with 35 USC 116, 2nd paragraph.
2. Claim 8 has been amended to be an independent claim and to incorporate relevant limitations from former claim 1. Informalities in claim 8 have been corrected. Applicant gratefully acknowledges allowability of claims 8-14.
3. Examiner has rejected claims 1-3 and 5-7 under 35 USC 102(e), as being anticipated by the Vu reference (US 6794074). Examiner has rejected claim 4 under 35 USC 103(a) as being obvious in view of the Vu reference.

New claims 15-21 are directed to a solid oxide fuel cell (SOFC) assembly, which comprises an enclosure which serves to insulate the hot zone within the enclosure containing the SOFC stack, and to accept radiant heat from the stack, as a radiative heat exchanger. This is desirable because of the elevated temperature SOFC stacks operate at (800° C).

The Vu reference teaches an air manager for an air battery, which operates at ambient temperatures. As such, the air manager taught by Vu is designed to provide stimulating air flow within the battery compartment and to deliver air to the battery. It is not concerned with thermal management.

With high temperature fuel cells such as solid oxide fuel cells, thermal management is a very important design consideration. One skilled in the art would not look to the air battery art, which involves cells operating at ambient temperatures for stack and system solutions.

Therefore, the Vu reference does not anticipate claims 15-21 as those claims are directed to a SOFC stack assembly. Neither does the Vu reference render claims 15-21 obvious, because of the very different nature of high temperature fuel cell operation, and of batteries designed to operate at ambient temperatures.

CONCLUSION

In view of the foregoing remarks and amendments, it is respectfully submitted that this application is in condition for allowance and allowance thereof is respectfully requested.

Dated this 26 day of March, 2006.

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Respectfully submitted,

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